REMARKS

Claims 1-21 and 23 were presented for examination in the present application. The instant amendment cancels claim 21 without prejudice and adds new claims 24-27. Thus, claims 1-20 and 23-27 are presented for consideration upon entry of the instant amendment. Claims 1, 10, and 24 are independent.

Independent claims 1 and 10, as well as dependent claims 2-9 and 11-21, were rejected under 35 U.S.C. §102(e) over U.S. Publication No. 2003/0053454 to Katsavounidis et al. (Katsavounidis). Dependent claim 23 was rejected under 35 U.S.C. §103(a) over Katsavounidis in view of U.S. Publication No. 2003/0200323 to Dold et al. (Dold).

Applicant respectfully submits that present claims 1 and 10 are not disclosed or suggested by the cited art. Further, Applicant specifically points out that present claims 1 and 10 are not intended to be limited to the specific mechanisms of patentability previously argued. Accordingly, Applicant hereby rescinds any disclaimer of claim scope and, thus, any prior art for which such a disclaimer was made to avoid may need to be revisited by the Examiner.

Independent claim 1 now recites the step of "transmitting the security-relevant data and redundant information based on the security-relevant data within the at least one security-oriented message", where the security-relevant data is "transmitted in the first data packet and **the redundant information, based solely on all the security-relevant data of the first data packet, is transmitted in the allocated second data packet**" (emphasis added).

Applicant submits that Katsavounidis fails to disclose or suggest the transmitting step of present claim 1.

Rather, Katsavounidis discloses concatenating **selected portions of packet data corresponding to a plurality of frame packets** for a first frame; generating forward error correction bits for the concatenated selected portions of packet data; and transmitting the forward error correction bits in a separate packet identified with a user data identifier code or the like, including other unique identifier codes to be assigned in the future by MPEG-standards committee and the like. <u>See</u> paragraph [0017].

Thus, to the extent that "concatenated selected portions" of Katsavounidis can be read as the "redundant information" of claim 1, it is clear that Katsavounidis discloses that these concatenated selected portions correspond to a "**plurality of frame packets**" and, thus teaches away from the "redundant information" recited by claim 1 that is "**based solely on all the security-relevant data of the first data packet**".

Furthermore, claim 1 recites that the redundant information is "based solely on all the security-relevant data of the first data packet". Thus, claim 1 requires a strong 1:1 relationship between the redundant information and the security-relevant information and vice versa. Stated another way, claim 1 requires that for each packet containing user data, there is always one further packet allocated that contains the respective redundant information.

In contrast, Katsavounidis discloses that each packet having FEC codes is for an amount of selected packets and hence there is not respectively one packet with FEC code allocated to each one packet with user data and further, there may also be packets with user data for which no FEC code is generated and allocated, such that there is no 1:1 relationship between a packet having redundant information and a packet having security-relevant information and vice versa.

Accordingly, user data and redundancy data of claim 1 provide two packets of a security-oriented message that are arranged in a new and non-obvious way. Thus, the process of claim 1 does not require any additional data packets or redundancy information to be added.

In Katsavounidis, the FEC bits represent additional redundancy information, which is placed in the same packet as the user data or in an additional packet after the regular frame or VOP to ensure MPEG compatibility. Thus, as the FEC bits are <u>added</u> to video data stream to enhance its error resiliency, data length is increased.

Accordingly, Applicant respectfully submits that clarified claim 1, as well as claims 2-9 that depend therefrom, are in condition for allowance. Reconsideration and withdrawal of the rejection to claims 1-9 are respectfully requested.

Independent claim 10 now recites "means, arranged on the side of the sender, for the packet-oriented embedding of the security-relevant data into the first data packet and for the packet-oriented embedding of each **allocated redundant information, based solely on all the security-relevant data of the first data packet**, into the allocated second data packet of the security-oriented message (emphasis added)".

As discussed in detail above, Katsavounidis merely discloses concatenating **selected portions of packet data corresponding to a plurality of frame packets** for a first frame. <u>See</u> paragraph [0017]. As such, and to the extent that "concatenated selected portions" of Katsavounidis can be read as the "allocated redundant information" of claim 10, it is clear that Katsavounidis discloses that these concatenated selected portions correspond to a "**plurality of frame packets**" and, thus teaches away from the "allocated redundant information" recited by claim 10 that is "**based solely on all the security-relevant data of the first data packet**".

Thus, claim 10 also requires a strong 1:1 relationship between the redundant information and the security-relevant information and vice versa, whereas Katsavounidis discloses that each packet having FEC codes is for an amount of selected packets and hence there is not respectively one packet with FEC code allocated to each one packet with user data.

Additionally, user data and redundancy data of claim 10 provide two packets of a security-oriented message that are arranged in a new and non-obvious way that do not require any additional data or redundancy information to be added, which is not disclosed or suggested by the additional FEC bits added by Katsavounidis.

The Office Action fails to assert that Dold to cure the aforementioned deficiencies of Katsavounidis.

Accordingly, Applicant respectfully submits that clarified claim 10, as well as claims 11-20 that depend therefrom, are in condition for allowance over the cited art alone or in combination. Reconsideration and withdrawal of the rejection to claims 11-20 are respectfully requested.

Claims 24-27 have been added to point out various aspects of the present application. Support for new claims 24-27 can be found in the specification at least at page 9, line 6 through page 10 line 9 and at page 12, lines 6-26. No new matter is added.

Applicant specifically points out that new claims 24-27 are not intended to be limited to the specific mechanisms of patentability previously argued with respect to any prior claims. Accordingly, Applicant hereby rescinds any disclaimer of claim scope and, thus, any prior art for which such a disclaimer was made to avoid may need to be revisited by the Examiner.
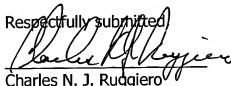
Claims 24-27 are believed to be in condition for allowance. For example, independent claim 24 recites, in part, the steps of "**forming at least one security-oriented message from two partial messages**, the two partial messages including a first data packet and a second data packet"; "transmitting the first data packet, the first data packet having **user data and check data**, the first data packet totaling a first number of bits;" and "transmitting the second data packet, the second data packet having **a check sum value calculated over the user data and the check data**, the second data packet totaling a second number of bits that is **equal to** the first number of bits". Emphasis added.

Applicant respectfully submits that the cited art fails to disclose or suggest the step of "forming at least one security-oriented message from two partial messages" in the manner recited by claim 24. Thus, claim 24, as well as claims 25-27 that depend therefrom, are patentable over the cited art.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited. If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted

May 17, 2010

Charles N. J. Ruggiero
Reg. No. 28,468
Attorney for Applicant(s)
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th floor
Stamford, CT 06901-2682
Tel: (203) 327-4500
Fax: (203) 327-6401